

Application Number	10/619,259
Confirmation Number	7049
First Named Inventor	John Irving
Filing Date	July 14, 2003
Title	Method and System for Monitoring and Filtering Data Transmission
Art Unit	2163
Examiner	Darno, Patrick A.
Docket No.	28849/09179
Customer No.	27530

Mail Stop Petitions
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

PETITION UNDER 37 C.F.R. § 1.181 TO
WITHDRAW HOLDING OF ABANDONMENT

Dear Sir:

This petition is in regards to the Notice of Abandonment mailed July 18, 2006, in relation to the above-identified application, which was issued in error. Pursuant to 37 C.F.R. § 1.181 and MPEP § 1002.02(b)(16), Applicant respectfully requests withdrawal of the holding of abandonment and reinstatement of the application to good standing.

Background

The Patent Office mailed a non-final rejection on January 9, 2006, which was subsequently returned to the Patent Office as undeliverable. The six-month deadline to respond to the rejection would have been July 9, 2006. A response to the rejection was filed on July 7, 2006, along with an extension of time, prior to the six-month deadline. A Notice of Abandonment was subsequently issued on July 18, 2006.

The prosecution history of the application includes an Interview Summary filed by the Examiner indicating that the Notice of Abandonment was issued prematurely, that a response had timely been filed on July 7, 2006, that appropriate steps would be taken to resolve the issue, and that an office action would be forthcoming. No office action, however, has been received or issued.

The undersigned followed up with the Examiner, who responded on May 7, 2008, that the application and the appropriate steps to reinstate the application were being discussed with the Examiner's supervisor. The application, however, appears to remain abandoned.

Conclusion

Based on the above, the Notice of Abandonment was issued in error and should be withdrawn. In view of the foregoing, Applicant respectfully petitions the Director to withdraw the holding of abandonment and reinstate the application to good standing.

Respectfully submitted,

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